

Exhibit D

(Declaration of Anand Swaminathan)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA, <i>ex</i>)	
<i>rel.</i> CHARLES R. SHEPHERD,)	
DANNY V. RUDE, ROBERT SCOTT)	
DILLARD, and RICKEY MACKEY)	CA No.: 6:13-cv-02428-TMC
)	
Plaintiffs/Relators,)	
)	
v.)	
)	DECLARATION OF ANAND
FLUOR CORPORATION, INC.,)	SWAMINATHAN
FLUOR INTERCONTINENTAL, INC.,)	
)	
Defendants.)	
)	

I, Anand Swaminathan, hereby declare and state as follows:

1. I am over 18 years old, and have personal knowledge of the facts set forth in this Declaration.

2. I am a partner at Loevy & Loevy. I am a 2006 graduate of Harvard Law School, after which I served as a law clerk for the Honorable Theodore H. Katz of the United States District Court for the Southern District of New York. I then worked at the New York law firm of Vladeck, Waldman, Elias & Engelhard until I joined Loevy & Loevy.

3. My firm, along with our local counsel Richard A. Harpootlian, P.A., represents Relators Charles Shepherd and Danny Rude, who filed this lawsuit in 2013. I am one of the lead attorneys in this matter and I am the principal drafter of the Second Amended Complaint.

4. During the period in which this case was under seal, we received information from the Government and Phillips & Cohen informing us of Fluor's assertions of privilege over certain documents from Mr. Nix and Mr. Payne, and we were informed of the documents over which Fluor was asserting privilege. We searched our files and to the extent we had any of the

documents they were destroyed.

5. To the best of our knowledge, none of the allegations in Relators' Complaint, First Amended Complaint and Second Amended Complaint come from any of the documents over which Fluor is asserting privilege.

6. Based on my review of documents in investigating this case, I am aware of a number of draft and final reports of compliance reviews issued before Fluor asserts that its internal investigation began near the end of May 2013. The reports concern many of the materials management issues Relators raise, including, for example, an analysis of work orders, negative inventory adjustment transactions, the use of construction excess store rooms and the use of DRMO storerooms. Examples include compliance reviews with issue dates of February 17, 2013, April 3, 2013, April 17, 2013, and April 12, 2013, and produced by Fluor with Bates-stamps FLE454627-454636, FLE300043-00300059, FLE300060-300072, and FLE300073-3000084. Because these documents contain Confidential stamps, out of an abundance of caution they are not being attached but are available upon the Court's request.

7. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed this 15th day of July 2019, in Chicago, Illinois.

/s/Anand Swaminathan
Anand Swaminathan